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HOUSE BILL 388

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Daniel P. Silva

AN ACT

RELATING TO MOTOR VEHICLES; AUTHORIZING NEIGHBORHOOD ELECTRIC CARS, UNDER CERTAIN CONDITIONS, TO BE DRIVEN ON CERTAIN STREETS, ROADWAYS AND HIGHWAYS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Motor Vehicle Code is enacted to read:

"NEW MATERIAL] NEIGHBORHOOD ELECTRIC CARS.--

A. As used in this section, "neighborhood electric car" means a four-wheeled electric motor vehicle that:

(1) has a maximum speed of more than twenty miles per hour but less than twenty-five miles per hour;

(2) complies with the federal requirements specified in 49 CFR 571.500; and

(3) is equipped with head lamps, stop lamps,

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1 front and rear turn signal lamps, tail lamps, reflex
2 reflectors, a parking brake, at least one interior and one
3 exterior rear view mirror, a windshield, windshield wipers, a
4 speedometer, an odometer, braking for each wheel, seat belts
5 and a vehicle identification number.

6 B. Except as provided in Subsection C or D of this
7 section, a neighborhood electric car, properly registered
8 pursuant to the provisions of the Motor Vehicle Code, in
9 compliance with the Mandatory Financial Responsibility Act and
10 driven by an individual with a valid driver's license, may be
11 operated on any street, roadway or highway under the
12 jurisdiction of either the state or a local authority if the
13 posted maximum speed limit is thirty-five miles per hour or
14 less; provided, a neighborhood electric car may cross any
15 street, roadway or highway that has a posted maximum speed
16 limit higher than thirty-five miles per hour.

17 C. A local authority may prohibit the operation of
18 neighborhood electric cars on any road under its jurisdiction
19 if the governing body of the local authority determines that
20 the prohibition is necessary in the interest of safety.

21 D. The department of transportation may prohibit
22 the operation of neighborhood electric cars on any road under
23 its jurisdiction if it determines that the prohibition is
24 necessary in the interest of safety.

25 E. Neighborhood electric cars are exempt from the

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following provisions:

(1) the emblems or flashing lights requirement for slow-moving vehicles in Section 66-3-887 NMSA 1978;

(2) any requirement for vehicle emission inspections adopted by a local authority pursuant to Subsection C of Section 74-2-4 NMSA 1978; and

(3) the minimum motor displacement requirement of Paragraph (2) of Subsection A of Section 66-7-405 NMSA 1978."